

BOARD OF SUPERVISORS

Brown County



305 E. WALNUT STREET

P.O. BOX 23600

GREEN BAY, WISCONSIN 54305-3600

PHONE (920) 448-4015 FAX (920) 448-6221

E-mail bc_county_board@co.brown.wi.us

EXECUTIVE COMMITTEE

Mary Scray, Chair

Guy Zima Vice Chair

Tom Lund, Bernie Erickson

John Vander Leest, Andy Nicholson, Patrick Evans

EXECUTIVE COMMITTEE

Monday, July 6, 2009

6:00 p.m.

Room 200, Northern Building

305 E. Walnut Street

- I. Call meeting to order.
- II. Approve/modify agenda.
- III. Approve/modify minutes of June 8, 2009 and Special Executive June 17, 2009.

Comments from the Public/Such Other Matters as Authorized by Law

Communications

1. Communication from Supervisor Vander Leest re: Request for each Standing Committee to forward a list of priorities to the County Executive for preparation of the 2010 budget. (Referred from June County Board.)

Legal Bills

2. Review and Possible Action on Legal Bills to be paid.

Reports

3. County Executive Report.
 - a. Mental Health Center - **Closed Session:** Pursuant to sec. 19.85(1)(c), Wis. Stats., to consider performance evaluation data of public employees.
 - b. Budget Status Financial Report for May 31, 2009.
4. Labor Negotiator Report.
5. Internal Auditor Report.
 - a. **Closed Session:** Pursuant to sec. 19.85(1)(e) for the purpose of deliberating contractual changes with the lease of public properties at the golf course where competitive or bargaining reasons require a closed session.
 - b. Discussion and Possible Action re: Refer to Internal Auditor to conduct a survey regarding how chargebacks are handled in other counties. (Motion from June Administration Committee.)

July 6, 2009

- c. Discussion and Possible Action re: Human Resources to develop a job description and analysis for reclassification of the Internal Auditor to a position of Internal Auditor/Board Research Analyst. (Referred from June meeting.)
 - d. Budget Status Financial Report for May 31, 2009.
 - e. Other.
6. Board Attorney Report.

Resolution, Ordinances

7. Resolution re: Establishing a Maximum Rate Assessed Against Municipalities for Contributions to the Wisconsin Retirement System. (Referred from June County Board.)
8. **Closed Session:** For the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to 19.85 (1)(e). In the alternative, the Executive committee is meeting for the purpose of collective bargaining and is not subject to the Wisconsin open meetings law pursuant to 19.82 (1) of the Wisconsin State Statutes, and also for the purpose of conferring with legal counsel for Brown County as to legal advice concerning strategy as to litigation pending pursuant to sec. 19.85 (1) (g) of the Wisconsin State Statutes.
9. Such other matters as authorized by law.

Mary Scray, Chair

Notice is hereby given that action by the Committee may be taken on any of the items, which are described or listed in this agenda.

Please take notice that it is possible additional members of the Board of Supervisors may attend this meeting, resulting in a majority or quorum of the Board of Supervisors. This may constitute a meeting of the Board of Supervisors for purposes of discussion and information gathering relative to this agenda.

PROCEEDINGS OF THE BROWN COUNTY EXECUTIVE COMMITTEE

Pursuant to Section 18.94 Wis. Stats., a regular meeting of the **Brown County Executive Committee** was held on Monday, June 8, 2009 in Room 200 of the Northern Building – 305 East Walnut Street, Green Bay, Wisconsin

Present: Bernie Erickson, Pat Evans, Tom Lund, Andy Nicholson, Mary Scray, Guy Zima

Excused: John VanderLeest

Also Present: Tom Hinz, Jayme Sellen, Sara Perrizo
Lynn VandenLangenberg, Bob Heimann
Fred Mohr, Don VanderKelen, Debbie Klarkowski
Supervisor Julie Knier, Other Interested Parties, Media

I. Call Meeting to Order:

The meeting was called to order by Chair Mary Scray at 6:00 p.m.
Speaking on behalf of this committee, the County Board, and Brown County employees, Chair Scray expressed condolences to the Kathy Johnson family regarding the tragic death of her son, Ken.

(Supervisor Nicholson arrived 6:02 p.m.)

II. Approve/Modify Agenda:

Motion made by Supervisor Erickson and seconded by Supervisor Lund to approve the agenda. MOTION APPROVED UNANIMOUSLY

III. Approve/Modify Minutes of May 11, 2009 & Special Executive May 20, 2009:

Motion made by Supervisor Lund and seconded by Erickson to approve the minutes. MOTION APPROVED UNANIMOUSLY

Comments from the Public/Such Other Matters as Authorized by Law:

Note was made that this item, Comments from the Public, should stand alone as Such Other Matters is at the end of the agenda.

Communications:

1. **Communication from Supervisor Knier re: Implement a policy that would require every ordinance or policy amendments proposals to identify current law and the proposed changes in the same document similar to procedure/amendments made to state law. (Held from May meeting):**

Supervisor Knier explained her request to implement a policy which would clarify changes that are made to ordinances and policy amendments, including highlighting new language and that which has been deleted.

Motion made by Supervisor Lund and seconded by Supervisor Nicholson to approve Supervisor Knier's suggestion to implement a policy that would require every ordinance or policy amendment proposal to identify current law and the proposed changes in the same document.

MOTION APPROVED UNANIMOUSLY

2. **Communication from Supervisor Erickson re: Bid formats should include more personal information regarding taxes and loans and if any of these payments are in arrears or defaults. Bidder should be checked out by our Board Attorney before moving the award forward to any boards or committees. (Referred from May County Board):**

Supervisor Erickson distributed a communication (attached) which clarifies his request that bid formats include more information than in the past, asking that before a bid is awarded, the Board Attorney review details of the vendor. Such details would include taxes and loans, and any arrearages or defaults. This issue has come about because of complications with awarding a bid for transfer hauling.

(Supervisor Zima arrived 6:10 p.m.)

Various comments were made by the committee with Lynn VandenLangenberg of Administration explaining the present process for completing background checks on vendors. She stated that although the vendor referred for waste hauling did provide tax returns, they were later found to be false.

Motion made by Supervisor Erickson and seconded by Supervisor Nicholson to refer to staff (Internal Auditor, Purchasing, Board Attorney, & Administration) to develop parameters for the bidding process.

MOTION APPROVED UNANIMOUSLY

3. **Communication from Supervisors Zima and Scray re: Respectfully request that the Executive Committee and County Board consider reclassification of the internal Auditor to a position of Internal Auditor/Board Research Analyst:**

Supervisor Zima explained that at this time the County Board lacks personnel to conduct research for members. He and Chair Scray have discussed this issue and are suggesting that a job description be developed and added to the duties of the Internal Auditor.

Although agreeing to this suggestion, Supervisor Knier asked that both sides of an argument be reported, stating that she was disappointed with the recent report on roundabouts which appeared to be one-sided. She requested there be a balanced approach to analysis.

Motion made by Supervisor Lund and seconded by Supervisor Nicholson to refer to Human Resources to develop a job description and analysis for reclassification of the Internal Auditor to a position of Internal Auditor/Board Research Analyst. MOTION APPROVED UNANIMOUSLY

Legal Bills:

4. Review and Possible Action on Legal Bills to be paid:

Supervisor Zima reported that he recently met with Attorney Jim Kalny of the Davis & Kuelthau Law Firm to discuss outstanding bills to Brown County in the amount of \$5,658.50. After their discussion, an agreement was made to reduce the total owed to \$2,780. Zima recommended approval of this payment.

Motion made by Supervisor Lund and seconded by Supervisor Erickson to approve payment of \$2,780, of the total \$5,658.50, to the Davis & Kuelthau Law Firm.

Ayes: Erickson, Evans, Lund, Scray, Zima

Nays: Nicholson

MOTION APPROVED 5-1

Discussion of other invoices including those of Fred Mohr and Michael Best were recommended for payment.

Motion made by Supervisor Zima and seconded by Supervisor Lund to pay the remainder of the legal bills. MOTION APPROVED UNANIMOUSLY

5. Discussion and Possible Action re: Syble Hopp Legal Bills:

Chair Scray explained that Syble Hopp is responsible for their own bills as part of their budget. A recommendation was made by Supervisor Zima that invoices involving Syble Hopp be paid with a quarterly report to this committee.

Motion made by Supervisor Zima and seconded by Supervisor Nicholson to authorize staff to pay Syble Hopp legal bills, with a request for a quarterly report. MOTION APPROVED UNANIMOUSLY

Reports:

6. County Executive Report:

a. Budget Status Financial Report for April 30, 2009:

Motion made by Supervisor Erickson and seconded by Supervisor Nicholson to receive and place on file.

MOTION APPROVED UNANIMOUSLY

b. Voluntary Unpaid Leave Program:

County Executive Tom Hinz explained that in preparation of the 2010 budget, he has drafted a resolution (attached) which would be effective July 1, 2009. Because of a projected revenue shortfall and higher operational expenses, he is suggesting that the County implement a policy for voluntary unpaid leave up to 5 days, as long as there is no impact on overtime. A separate pay code would be implemented for tracking purposes. He stated that other counties, specifically Waukesha, are implementing such a plan.

Labor Negotiator Don VanderKelen explained there is a difference between small companies who may implement such a plan and County government, stating that if employees have time to take off, there may be

a management issue. He pointed out that Brown County already has overtime problems.

Supervisor Zima stated he would support the suggestion, that every dollar saved counts, as long as services are not interrupted. Evans asked that if implemented, a monthly report be provided.

Supervisor Lund asked if this idea has been discussed with legal counsel and Hinz stated he has discussed it with Corporation Counsel. Board Attorney Fred Mohr clarified that if leave is voluntary there are no unemployment compensation issues.

Motion made by Supervisor Lund and seconded by Supervisor Nicholson to refer to staff to finalize the resolution and schedule a special meeting prior to the next County Board meeting (June 22nd, 2009) to discuss further. MOTION APPROVED UNANIMOUSLY

7. Internal Auditor Report:

a. Budget Status Financial Report for April 30, 2009:

Sara Perrizo reported that the budget is in line, with a change in printing of the weekly agenda showing a savings.

Motion made by Supervisor Nicholson and seconded by Supervisor Erickson to receive and place on file. MOTION APPROVED UNANIMOUSLY

b. NEW Zoo Audit:

Internal Auditor, Sara Perrizo, stated it is not often that audit of a department results in very few recommendations. The NEW Zoo has taken great strides in getting internal controls in check, and Perrizo stated she would use them as an example to other departments.

Motion made by Supervisor Lund and seconded by Supervisor Erickson to accept the NEW Zoo Audit. MOTION APPROVED UNANIMOUSLY

c. Other: None

8. Board Attorney Report:

a. Pivonka Update:

Board Attorney, Fred Mohr, reported that at this time there has been no resolution to this issue. He recommended that efforts toward resolution be continued and that any further update be held until the next meeting or until a special meeting is scheduled.

Motion made by Supervisor Nicholson and seconded by Supervisor Erickson to hold until the July meeting, or until a special meeting is scheduled.

Ayes: Erickson, Lund, Nicholson, Scray, Zima

Nays: Evans

MOTION APPROVED 5-1

b. **Table vs. Postpone:**

Attorney Mohr reported that at the last Board meeting a question arose as to whether or not items could be tabled. Although Robert's Rules does not recognize tabling as a proper motion, Supervisor Zima pointed out that Brown County Ordinance has a provision allowing this. Research determined this is correct.

**Motion made by Supervisor Evans and seconded by Supervisor Nicholson to receive and place on file.
MOTION APPROVED UNANIMOUSLY**

Resolutions/Ordinances:

9. **Resolution re: Change in Table of Organization Human Services. (Referred from Human Services Committee):**

Motion made by Supervisor Evans and seconded by Supervisor Nicholson to approve. MOTION APPROVED UNANIMOUSLY

10. **Authority to Execute a 2009 Labor Agreement with the Brown County Library Clerk Employees Local 1901, AFSCME, AFL-CIO:**

Motion made by Supervisor Erickson and seconded by Supervisor Nicholson to approve. MOTION APPROVED UNANIMOUSLY

11. **Authority to Execute a 2009 Labor Agreement with the Brown County Medical Examiner Investigators Local 1901, AFSCME, AFL-CIO:**

Motion made by Supervisor Nicholson and seconded by Supervisor Lund to approve. MOTION APPROVED UNANIMOUSLY

12. **Closed Session: For the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to 19.85(1)(e). In the alternative, the Executive Committee is meeting for the purpose of collective bargaining and is not subject to the Wisconsin Open Meetings Law pursuant to 19.82 (1) of the Wisconsin State Statutes, and also for the purpose of conferring with legal counsel for Brown County as to legal advice concerning strategy as to litigation pending pursuant to Sec. 19.85 (1)(g) of the Wisconsin State Statutes: None**

13. **Such Other Matters as Authorized by Law: None
July County Board meeting changed to Wednesday, July 22, 2009**

**Special Executive Committee Agenda: Date & Time to be Announced
Voluntary Unpaid Leave Program
Diane Pivonka Update**

Motion made by Supervisor Lund and seconded by Evans to adjourn at 7:10 p.m. MOTION APPROVED UNANIMOUSLY

Respectfully submitted,
Rae G. Knippel, Recording Secretary

PROCEEDINGS OF THE BROWN COUNTY EXECUTIVE COMMITTEE

Pursuant to Section 18.94 Wis. Stats., a special meeting of the **Brown County Executive Committee** was held on Wednesday, June 17, 2009 in Room 210, City Hall – 100 North Jefferson Street, Green Bay, Wisconsin.

Present: Bernie Erickson, Pat Evans, Tom Lund, Mary Scray.
Excused: Andy Nicholson, John VanderLeest, Guy Zima.
Also Present: Supervisors Andrews, Brunette, Kaster, Knier, Warpinski.
Tom Hinz, Fred Mohr, Jayme Sellen, Lynn VandenLangenberg.
Other Interested Parties.

I. CALL MEETING TO ORDER:

The meeting was called to order by Chairman Scray at 6:30 p.m.

II. APPROVE/MODIFY AGENDA:

A MOTION WAS MADE BY SUPERVISOR EVANS AND SECONDED BY SUPERVISOR LUND TO APPROVE. Vote taken. MOTION CARRIED UNANIMOUSLY.

1. RESOLUTION RE: TO SUPPORT BROWN COUNTY VOLUNTARY UNPAID LEAVE PROGRAMS FOR 2009:

A MOTION WAS MADE BY SUPERVISOR LUND AND SECONDED BY SUPERVISOR ERICKSON TO APPROVE. No Vote Taken. MOTION FAILED.

Supervisor Evans stated that he spoke with Mr. VanderKelen and that Mr. VanderKelen expressed that overtime was not addressed in this Resolution.

Supervisor Scray replied that this has been amended, and the last paragraph should read: "BE IT FURTHER RESOLVED that such leave shall not in any manner in its implementation interfere with current labor agreements or create overtime."

A MOTION WAS MADE BY SUPERVISOR EVANS AND SECONDED BY SUPERVISOR ERICKSON TO APPROVE AS AMENDED. Vote taken. MOTION CARRIED UNANIMOUSLY.

2. A CLOSED SESSION PURSUANT TO 19.85(1)(C) WISCONSIN STATUTES FOR THE PURPOSES OF CONSIDERING EMPLOYMENT, PROMOTION, COMPENSATION OR PERFORMANCE DATA REGARDING A PUBLIC EMPLOYEE (DIANE PIVONKA):

A MOTION WAS MADE BY SUPERVISOR LUND AND SECONDED BY SUPERVISOR EVANS TO APPROVE.

Attorney Fred Mohr stated that a closed session was not needed.

MOTION WITHDRAWN BY SUPERVISOR LUND.

Attorney Fred Mohr stated that there had been several meetings concerning this issue; there was an agreement reached with Ms. Pivonka, Steve Gillis (attorney for Ms.

Pivonka), Tom Hinz (Brown County Executive), Tom Eggebrecht (Interim Human Services Director), and Fred Mohr (attorney for Brown County).

Mr. Mohr summarized the agreement: Ms. Pivonka will be placed in a supervisor's position in Sophie Beaumont overseeing the nursing home unit. (This unit has approximately 20 employees.) Ms. Pivonka will be on a 6-month probationary period with monthly evaluations. It is expected that Ms. Pivonka will be released to return to work around July 1, 2009; and this is when Ms. Pivonka will commence her employment. Brown County has agreed to pay Ms. Pivonka her short-term disability leave.

When questioned, Mr. Mohr stated that Ms. Pivonka will keep her seniority and be treated as an exempt employee. He continued that Ms. Pivonka is waiving her right to sue Brown County if she progresses through the probationary period or she chooses to terminate her employment with Brown County during this probationary period. Ms. Pivonka retains the right to sue Brown County within 90 days in the event that Brown County terminates Ms. Pivonka's employment during that 6-month probationary period.

Supervisor Knier stated that she wanted to know what happened that led to Ms. Pivonka's being dismissed and being brought back. Mr. Mohr said that information could not be discussed in open session. Ms. Knier continued by saying that the Committee should go into closed session, because she "came here tonight expecting to get answers to some of these questions." Mr. Mohr explained that the way the settlement is set up is within the authority of the County Executive to approve for the following reasons: There are no new monies being expended; there are no rules being changed; and Ms. Pivonka will be treated just like all Brown County's exempt employees. Therefore, he continued by saying that would be an issue the Board could entertain to look further into, but the Agenda item for tonight was just a report on the progress of the negotiations.

Supervisor Evans questioned the salary for this position; Mr. Mohr said the salary is \$59,702 and her prior salary was approximately \$78,000.

A MOTION WAS MADE BY SUPERVISOR EVANS AND SECONDED BY SUPERVISOR LUND TO RECEIVE AND PLACE ON FILE. Vote taken. MOTION CARRIED UNANIMOUSLY.

3. SUCH OTHER MATTERS AS AUTHORIZED BY LAW.

A MOTION WAS MADE BY SUPERVISOR EVANS AND SECONDED BY SUPERVISOR LUND ADJOURN AT 6:28 P.M. Vote taken. MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

Lisa M. Alexander
Recording Secretary

BOARD OF SUPERVISORS

Brown County

To all Committee



BROWN COUNTY
BOARD OF SUPERVISORS
GREEN BAY, WISCONSIN

~~Meeting Date:~~

Executive Committee

~~Agenda No.:~~

Communication

~~Motion from the Floor~~

I make the following motion:

Request for each standing
Committee to forward a list
of priorities to the County Executive
for preparation of the 2010 budget.

Signed:

John Vander Peet

District No.

11th

(Please deliver to County Clerk after motion is made for recording into minutes.)

ATTORNEY BILLS SUBMITTED TO THE EXECUTIVE COMMITTEE						
FOR JULY 6, 2009 MEETING FOR APPROVAL AND PAYMENT						
LAW FIRM	INVOICE NUMBER	DATE	AMOUNT	FOR	Approved	
Atty. Frederick Mohr	4383	6/1/2009	219.50	Corporation Counsel, Highway/Facilities, Misc., Hobart Suit, Subrogation Claims		
	4384	6/1/2009	3922.25	Prisoner Transport, Van Vonderen, Teamsters, Library		
Michael, Best & Friedrich	1066372	6/11/2009	1,085.55	Fox River Cleanup-Insurance		
	1066373	6/11/2009	7512.75	API & NCR v. George A. Whiting, et al		
Whyte, Hirschboeck, Dudek, S.C.	410732	6/10/2009	25636.72	\$13,475,000 Brown Co., WI : Taxable General Obligation Corporate Purpose Bonds, Series 1009A (Build America Bonds - Direct Payment) Services and disbursements provided as Bond counsel		

In Account With

FREDERICK J. MOHR LLC

ATTORNEY AT LAW

414 East Walnut Street, Suite 101, P.O. Box 1015, Green Bay, WI 54305-1015

Tel: (920) 437-5441 Fax: (920) 437-5443

RECEIVED

JUN 02 2009

Human Resources

BROWN COUNTY
C/O DEBBIE KLARKOWSKI
PO BOX 23600
GREEN BAY WI 54305-3600

Page: 1
June 01, 2009
Account No: 2646M

Corp. Counsel

Corporation Counsel

Highway / Facilities

Miscellaneous

Hobart Suit

Subrogation Claims

Current
Work

~~0~~

180.50

~~0~~

39.00

~~0~~

219.50

~~\$2,384.03~~

← \$180.50

~~\$858.00~~

~~\$320.25~~

~~\$117.00~~

\$3,859.78

RECEIVED BY

JUN 3 2009

CO. J. MOHR

Interest accrues at the rate of 1% per month on all balances over 30 days.

In Account With

FREDERICK J. MOHR LLC

ATTORNEY AT LAW

414 East Walnut Street, Suite 101, P.O. Box 1015, Green Bay, WI 54305-1015

Tel: (920) 437-5441 Fax: (920) 437-5443

BROWN COUNTY
C/O DEBBIE KLARKOWSKI
PO BOX 23600
GREEN BAY WI 54305-3600

Page: 1
June 01, 2009
Account No: 2646-0M
Statement No: 4383

Corporation Counsel

Previous Balance

~~\$2,384.03~~

Balance Due

\$2,384.03

Account No: 2646-1M
Statement No: 4383

Highway / Facilities

	Hours	
Attention to Letter from Attorney Sczygelski	0.20	39.00
Drafting of Satisfaction	0.30	58.50
Letter to Clerk of Courts	0.20	39.00
Letter to Attorney Luetscher	0.20	39.00
For Current Services Rendered	0.90	175.50
Clerk of Courts Fee		5.00
Total Expenses		5.00
Total Current Work		<u>180.50</u>

Balance Due

\$180.50

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JUN 5 2009

Brown County
Corporation Counsel

In Account With

FREDERICK J. MOHR LLC

ATTORNEY AT LAW

414 East Walnut Street, Suite 101, P.O. Box 1015, Green Bay, WI 54305-1015

Tel: (920) 437-5441 Fax: (920) 437-5443

BROWN COUNTY

Miscellaneous

Page: 2

June 01, 2009

Account No: 2646-5M
Statement No: 4383

Previous Balance

~~\$858.00~~

Balance Due

\$858.00

Account No: 2646-6M
Statement No: 4383

Hobart Suit

Previous Balance

~~\$281.25~~

	Hours	
Telephone Conference with Hinz	0.20	39.00
For Current Services Rendered	0.20	39.00
Total Current Work		<u>39.00</u>

Balance Due

\$320.25

Account No: 2646-7M
Statement No: 4383

Subrogation Claims

Previous Balance

~~\$117.00~~

In Account With

FREDERICK J. MOHR LLC

ATTORNEY AT LAW

414 East Walnut Street, Suite 101, P.O. Box 1015, Green Bay, WI 54305-1015

Tel: (920) 437-5441 Fax: (920) 437-5443

BROWN COUNTY

Subrogation Claims

Page: 3

June 01, 2009

Account No: 2646-7M

Statement No: 4383

Balance Due

\$117.00

Total Balance Due

\$3,859.78

Interest accrues at the rate of 1% per month on all balances over 30 days.

In Account With

FREDERICK J. MOHR LLC

ATTORNEY AT LAW

414 East Walnut Street, Suite 101, P.O. Box 1015, Green Bay, WI 54305-1015

Tel: (920) 437-5441 Fax: (920) 437-5443

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JUN 03 2009

Human Resources

BROWN COUNTY HUMAN RESOURCES
C/O KAY LENZEN
305 EAST WALNUT STREET
GREEN BAY WI 54301

Page: 1
June 01, 2009
Account No: 2647M

		<u>Current Work</u>	
Corp. Counsel	Prisoner Transport	3,294.50	\$3,470.00
HR	Van Vonderen	39.00	\$156.00
HR	Teamsters	276.75	\$354.75
HR	Library	312.00	\$2,827.50
		<u>3,922.25</u>	<u>\$6,808.25</u>

Corp. Counsel
HR

3294.50
627.75
3922.25

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JUN 5 2009

Brown County
Corporation Counsel

Interest accrues at the rate of 1% per month on all balances over 30 days.

In Account With

FREDERICK J. MOHR LLC

ATTORNEY AT LAW

414 East Walnut Street, Suite 101, P.O. Box 1015, Green Bay, WI 54305-1015

Tel: (920) 437-5441 Fax: (920) 437-5443

Page: 1

June 01, 2009

BROWN COUNTY HUMAN RESOURCES
C/O KAY LENZEN
305 EAST WALNUT STREET
GREEN BAY WI 54301

Account No: 2647-1M
Statement No: 4384

Prisoner Transport

Previous Balance

~~\$175.50~~

	Hours	
Attention to Letter from Attorney Cermele	0.20	39.00
Letter to Sheriff	0.20	39.00
Attention to Letter from Supreme Court	0.20	39.00
Review of Petition and Brief	2.00	390.00
Review of Supreme Court rules	0.60	117.00
Telephone Conference with Attorney Kalny	0.20	39.00
Drafting of Brief	2.00	390.00
Drafting of Brief	1.00	195.00
Drafting of Brief	3.00	585.00
Attention to Letter from Clerk of Courts	0.20	39.00
Drafting of Brief	2.50	487.50
Drafting of Brief	2.00	390.00
Letter to Clerk of Courts	0.20	39.00
Drafting of Brief	1.00	195.00
For Current Services Rendered	15.30	2,983.50
Postage and Handling		38.25
Photocopy Expense		272.75
Total Expenses		311.00

RECEIVED BY
JUN 5 2009
Brown County
Corporation Counsel

In Account With

FREDERICK J. MOHR LLC

ATTORNEY AT LAW

414 East Walnut Street, Suite 101, P.O. Box 1015, Green Bay, WI 54305-1015

Tel: (920) 437-5441 Fax: (920) 437-5443

BROWN COUNTY HUMAN RESOURCES

Prisoner Transport

Page: 2

June 01, 2009

Account No: 2647-1M

Statement No: 4384

Total Current Work

Corp.
Counsel

3,294.50

Balance Due

\$3,470.00

Account No: 2647-3M
Statement No: 4384

Van Vonderen

Previous Balance

~~\$117.00~~

Telephone Conference with Van Vonderen

Hours

0.20 39.00

For Current Services Rendered

0.20 39.00

Total Current Work

HR

39.00

Balance Due

\$156.00

Account No: 2647-5M
Statement No: 4384

Teamsters

Previous Balance

~~\$78.00~~

Attention to Letter from Kirchman

Hours

0.20 39.00

In Account With

FREDERICK J. MOHR LLC

ATTORNEY AT LAW

414 East Walnut Street, Suite 101, P.O. Box 1015, Green Bay, WI 54305-1015

Tel: (920) 437-5441 Fax: (920) 437-5443

BROWN COUNTY HUMAN RESOURCES

Teamsters

Page: 3

June 01, 2009

Account No: 2647-5M

Statement No: 4384

	Hours	
Letter to Kirchman	0.20	39.00
Attention to Letter from Kirchman	0.20	39.00
Attention to Letter from Kirchman	0.20	39.00
Attention to Letter from Kirchman	0.20	39.00
Letter to Kirchman	0.20	39.00
Attention to Letter from Kirchman	0.20	39.00
For Current Services Rendered	1.40	273.00
Fax Machine Expense		3.75
Total Expenses		3.75
Total Current Work	HR	276.75
Balance Due		\$354.75

Account No: 2647-7M
Statement No: 4384

Library

Previous Balance ~~\$2,515.50~~

	Hours	
Attention to Letter from Attorney Davis	0.20	39.00

In Account With

FREDERICK J. MOHR LLC

ATTORNEY AT LAW

414 East Walnut Street, Suite 101, P.O. Box 1015, Green Bay, WI 54305-1015

Tel: (920) 437-5441 Fax: (920) 437-5443

BROWN COUNTY HUMAN RESOURCES

Library

Page: 4

June 01, 2009

Account No: 2647-7M

Statement No: 4384

	Hours	
Letter to Debbie	0.20	39.00
Letter to Attorney Davis	0.20	39.00
Attention to Letter from Attorney Davis	0.20	39.00
Letter to Attorney Davis	0.20	39.00
Attention to Letter from Attorney Davis	0.20	39.00
Attention to Letter from Attorney Davis	0.20	39.00
Letter to Attorney Davis	0.20	39.00
For Current Services Rendered	1.60	312.00
Total Current Work	HR	312.00
Balance Due		\$2,827.50
Total Balance Due		\$6,808.25
		3922.25

Interest accrues at the rate of 1% per month on all balances over 30 days.

IN ACCOUNT WITH

MICHAEL BEST

& FRIEDRICH LLP

CONFIDENTIAL

One South Pinckney Street
P.O. Box 1806
Madison, Wisconsin 53701-1806
FAX 608.283.2275
Telephone 608.257.3501

Michaelbest.com

John F. Luetscher
Brown County Corporation Counsel
Northern Building - Room 680
305 East Walnut Street
PO Box 23600
Green Bay, WI 54305-3600

Client: 018236

June 11, 2009
Invoice No. 1066372

EIN 39-0934985

Due Upon Presentation
Return Upper Portion with Payment

Invoice No. 1066372

For Professional services rendered through May 31, 2009, as follows:

Matter: 018236-0042 Fox River Cleanup - Insurance

5/1/09	D Crass	Review draft correspondence prepared by CESmith regarding notification to Continental Insurance.	0.20	\$85.00
5/1/09	C Smith	Telephone conference call with and email from Mr. J. Luetscher authorizing CNA notice; finalize notice letter.	0.20	\$64.00
5/4/09	C Smith	Emails to/from Attorney J. Luetscher regarding Wausau payment; correspondence to Attorney Luetscher regarding same; update defense cost summary chart.	0.40	\$128.00
5/6/09	R Exum	Go to Supreme Court and review Brown County Case No. 76-151 for evidence of Continental policies.	1.60	\$224.00
5/22/09	C Smith	Review CNA response to notice; telephone conference call with Mr. J. Beacham regarding same.	0.20	\$64.00
5/28/09	C Smith	Correspondence to Attorney May responding to 5/18/09 letter; correspondence to Mr. Beacham providing update; email to Attorney J. Luetscher regarding CNA position and response.	1.40	\$448.00

Total Hours 4.00

Total Services \$1,013.00

Disbursements:

05/04/2009	Photocopying	63.90
	Federal Express Delivery	8.65

Disbursements Total \$72.55

MICHAEL BEST

& FRIEDRICH LLP

IN ACCOUNT WITH



One South Pinckney Street
P.O. Box 1806
Madison, Wisconsin 53701-1806
FAX 608.283.2275
Telephone 608.257.3501

Michaelbest.com

Client: 018236

Page 2

June 11, 2009
Invoice No. 1066372

Matter: 018236-0042 Fox River Cleanup - Insurance

Total This Matter	\$1,085.55
Balance from previous statement	\$6,222.78
Payments received	0.00
Current Balance	<u>\$7,308.33</u>



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Page 3

June 11, 2009
Invoice No. 1066372

Matter: 018236-0042 Fox River Cleanup - Insurance

ATTORNEY BREAKDOWN

Attorney	Title	Hours Worked	Billed Per Hour	Bill Amount
C Smith	Partner	2.2	\$320.00	\$704.00
D Crass	Partner	0.2	\$425.00	\$85.00
R Exum	Paralegal	1.6	\$140.00	\$224.00
Totals		4.00		\$1,013.00



IN ACCOUNT WITH

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& FRIEDRICH LLP

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Telephone 608.257.3501

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CONFIDENTIAL

John F. Luetscher
Brown County Corporation Counsel
Northern Building - Room 680
305 East Walnut Street
PO Box 23600
Green Bay, WI 54305-3600

Client: 018236

June 11, 2009

Invoice No. 1066373

EIN 39-0934985

Due Upon Presentation
Return Upper Portion with Payment

Invoice No. 1066373

For Professional services rendered through May 31, 2009, as follows:

Matter: 018236-0044 API and NCR v. George A. Whiting, et al.

5/1/09	D Crass	Attend brief meeting with Mr. Warpinski regarding finalizing correspondence to U.S. Army Corps of Engineers' counsel with settlement offer; review email communication regarding same.	0.50	\$212.50
5/1/09	I Pitz	Review correspondence from City of Green Bay; discuss same with DACrass; review recent case filings.	1.30	\$487.50
5/3/09	D Crass	Finalize first draft of discovery responses.	0.20	\$85.00
5/4/09	L Bochart	Review recent correspondence to Army Corps of Engineers attorneys with respect to Brown County and municipalities response to allocation proposal from same.	0.50	\$187.50
5/4/09	I Pitz	Discussion with DACrass regarding discovery responses; revise same.	0.50	\$187.50
5/6/09	I Pitz	Read BNSF decision.	0.60	\$225.00
5/6/09	D Crass	Review BNSF case and impacts on strategies.	1.50	\$637.50
5/7/09	D Crass	Prepare email communication regarding U.S. Supreme Court's decision in BNSF case.	0.30	\$127.50
5/11/09	I Pitz	Review recent case correspondence and discovery motions.	0.70	\$262.50
5/14/09	I Pitz	Revise discovery responses.	1.60	\$600.00
5/15/09	D Crass	Office conference with IAPitz regarding Discovery; review email communication from Mr. Larscheid regarding same; prepare email communication regarding Discovery.	0.50	\$212.50
5/15/09	I Pitz	Convert discovery responses to objections and review and serve same.	0.90	\$337.50
5/20/09	I Pitz	Telephone conference with client regarding discovery responses; revise responses; review documents; consult with AJWildeman regarding producing responsive documents.	4.50	\$1,687.50
5/21/09	D Crass	Prepare draft correspondence to Attorney Levin regarding BNSF case.	0.20	\$85.00

MICHAEL BEST

& FRIEDRICH LLP

IN ACCOUNT WITH

MICHAEL BEST

& FRIEDRICH LLP

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Telephone 608.257.3501

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Client: 018236

Page 2

June 11, 2009

Invoice No. 1066373

Matter: 018236-0044 API and NCR v. George A. Whiting, et al.

5/21/09	A Wildeman	Begin reviewing documents related to sediment and water sampling to identify all persons hired or directed by Brown County to perform sampling.	4.00	\$760.00
5/22/09	D Crass	Revise and finalize correspondence to governments regarding recent U.S. Supreme Court decision.	0.50	\$212.50
5/22/09	A Wildeman	Continue reviewing documents related to sediment and water sampling to identify all persons hired or directed by Brown County to perform sampling; provide email summary to IAJPitz and DACrass regarding same.	1.40	\$266.00
5/26/09	D Crass	Office conference with IAPitz and AJWildeman regarding document production.	0.20	\$85.00
5/26/09	I Pitz	Revise, proof, finalize and serve discovery responses.	1.00	\$375.00
5/26/09	A Wildeman	Review memorandum to file from IAJPitz regarding documents that need to be produced in response to plaintiffs' first request for production of documents; conference with DACrass regarding same.	0.20	\$38.00
5/28/09	D Crass	Review correspondence from CESmith.	0.20	\$85.00

Total Hours 21.30

Total Services \$7,156.50

Disbursements:

04/12/2009	Photocopying	2.40
04/12/2009	Westlaw - Legal Research	195.30
04/13/2009	Westlaw - Legal Research	47.85
04/14/2009	Westlaw - Legal Research	110.70

Disbursements Total \$356.25**MICHAEL BEST**

& FRIEDRICH LLP

IN ACCOUNT WITH



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Madison, Wisconsin 53701-1806
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Client: 018236

Page 3

June 11, 2009
Invoice No. 1066373

Matter: 018236-0044 API and NCR v. George A. Whiting, et al.

Total This Matter	\$7,512.75
Balance from previous statement	\$32,144.60
Payments received	0.00
Current Balance	<u>\$39,657.35</u>



IN ACCOUNT WITH



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Michaelbest.com

Client: 018236

Page 4

June 11, 2009
Invoice No. 1066373

Matter: 018236-0044 API and NCR v. George A. Whiting, et al.

ATTORNEY BREAKDOWN

Attorney	Title	Hours Worked	Billed Per Hour	Bill Amount
A Wildeman	Associate	5.6	\$190.00	\$1,064.00
D Crass	Partner	4.1	\$425.00	\$1,742.50
I Pitz	Partner	11.1	\$375.00	\$4,162.50
L Bochert	Partner	0.5	\$375.00	\$187.50
Totals		21.30		\$7,156.50





Whyte Hirschboeck Dudek S.C.

Brown County
Attn: Lynn A. VandenLangenberg
305 E. Walnut St.
Green Bay WI 54305-3600

June 10, 2009
Invoice No. 410732
Our File No. 22790-0037

Re: \$13,475,000
Brown County, Wisconsin:
Taxable General Obligation Corporate Purpose Bonds, Series 2009A
(Build America Bonds - Direct Payment)

For services and disbursements provided as Bond Counsel
for the above-referenced matter.

Subtotal for Services: \$25,000.00

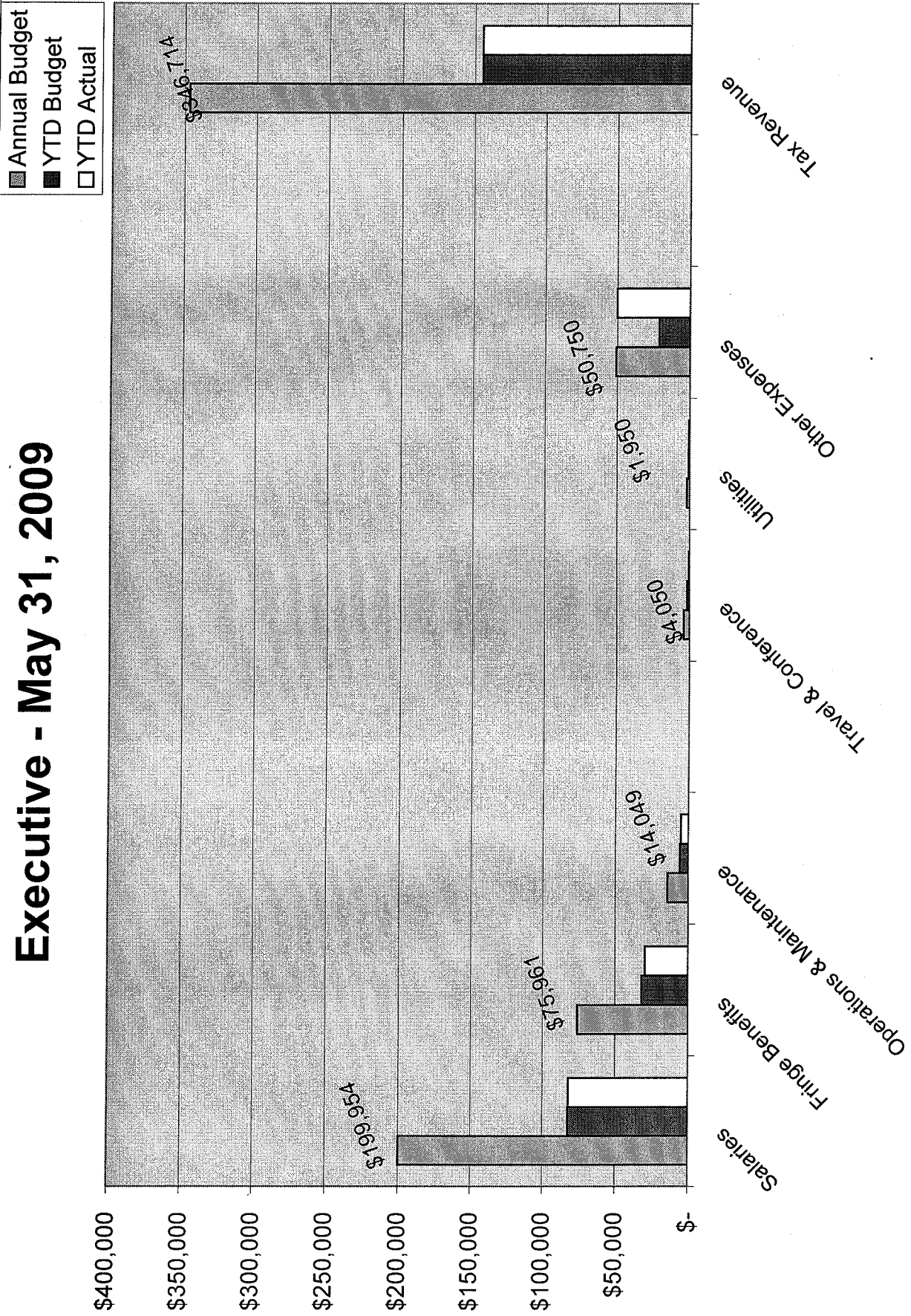
INVOICE SUMMARY

Total Fees:	\$25,000.00
Disbursements:	<u>636.72</u>
Total this Invoice:	\$25,636.72

WIRE INSTRUCTIONS:

Account:	General Checking Account
Bank Name:	M&I Marshall & Ilsley Bank, 770 North Water Street, Milwaukee, WI 53202
ABA Number:	075000051
Account Name:	Whyte Hirschboeck Dudek S.C. General Account
Account Number:	0043975668
Notify:	Wendy Miller
Invoice Number and or Our File Number:	Invoice No. 410732; File No. 22790-0037

Executive - May 31, 2009



DEPT: 10-2901
CONTROL: POST/01
REPORT: IS0000P
FORMAT: AB

UNAUDITED

BROWN COUNTY
EXECUTIVE
DEPARTMENTAL BUDGET REPORT
MONTH ENDING MAY 31, 2009

PAGE: 0001
DATE: 06/15/2009
TIME: 09:26:33

....CURRENT MONTH....

.....YEAR TO DATE.....

ACTUAL	BUDGET	VARIANCE	ACTUAL	BUDGET	VARIANCE	TOTAL REVISED BUDGET	REMAINING BUDGET
EXPENDITURES							
21,499	23,072	1,573	78,222	82,289	4,067	199,954	121,732
1,622	0	(1,622)	3,765	0	(3,765)	0	(3,765)
23,121	23,072	(49)	81,987	82,289	302	199,954	117,967
1,723	6,328	4,605	6,112	31,650	25,538	75,961	69,849
3,521	0	(3,521)	16,547	0	(16,547)	0	(16,547)
3	0	(3)	7	0	(7)	0	(7)
230	0	(230)	1,080	0	(1,080)	0	(1,080)
146	0	(146)	711	0	(711)	0	(711)
776	0	(776)	2,769	0	(2,769)	0	(2,769)
592	0	(592)	2,112	0	(2,112)	0	(2,112)
10	0	(10)	52	0	(52)	0	(52)
7,001	6,328	(673)	29,390	31,650	2,260	75,961	46,571
TOTAL FRINGE BENEFITS							
0	84	84	295	417	122	1,000	705
7	41	35	54	208	154	500	446
16	41	25	26	208	182	500	474
0	72	72	865	360	(505)	865	0
10	15	5	34	125	91	300	266
0	25	25	0	250	250	600	600
813	776	(37)	3,562	3,880	318	9,312	5,750
52	52	0	259	259	0	622	363
0	29	29	0	146	146	350	350
898	1,170	273	5,095	5,853	758	14,049	8,954
TOTAL OPERATION & MAINT.							
0	338	338	487	1,688	1,201	4,050	3,563
0	338	338	487	1,688	1,201	4,050	3,563
TOTAL TRAVEL & CONFERENCE							
332	163	(169)	734	813	80	1,950	1,217
332	163	(169)	734	813	80	1,950	1,217
TOTAL UTILITIES							
0	63	63	73	313	240	750	677
0	4,166	4,166	50,000	20,833	(29,167)	50,000	0
0	4,229	4,229	50,073	21,146	(28,927)	50,750	677
31,352	35,300	3,949	167,766	143,439	(24,326)	346,714	178,949
GRAND TOTAL EXPENDITURES							

DEPT: 10-2901
 CONTROL: POST/01
 REPORT: IS0000P
 FORMAT: AB

UNAUDITED

BROWN COUNTY
 EXECUTIVE
 DEPARTMENTAL BUDGET REPORT
 MONTH ENDING MAY 31, 2009

PAGE: 0002
 DATE: 06/15/2009
 TIME: 09:26:33

CURRENT MONTH				YEAR TO DATE			
ACTUAL	BUDGET	VARIANCE		ACTUAL	BUDGET	VARIANCE	
REVENUES							
28,893	28,892	(1)	PROPERTY TAXES	144,465	144,464	(1)	TOTAL REVISED BUDGET
28,893	28,892	(1)	TOTAL TAXES	144,465	144,464	(1)	202,249
28,893	28,892	(1)	GRAND TOTAL REVENUES	144,465	144,464	(1)	202,249
							REMAINING BUDGET
							202,249

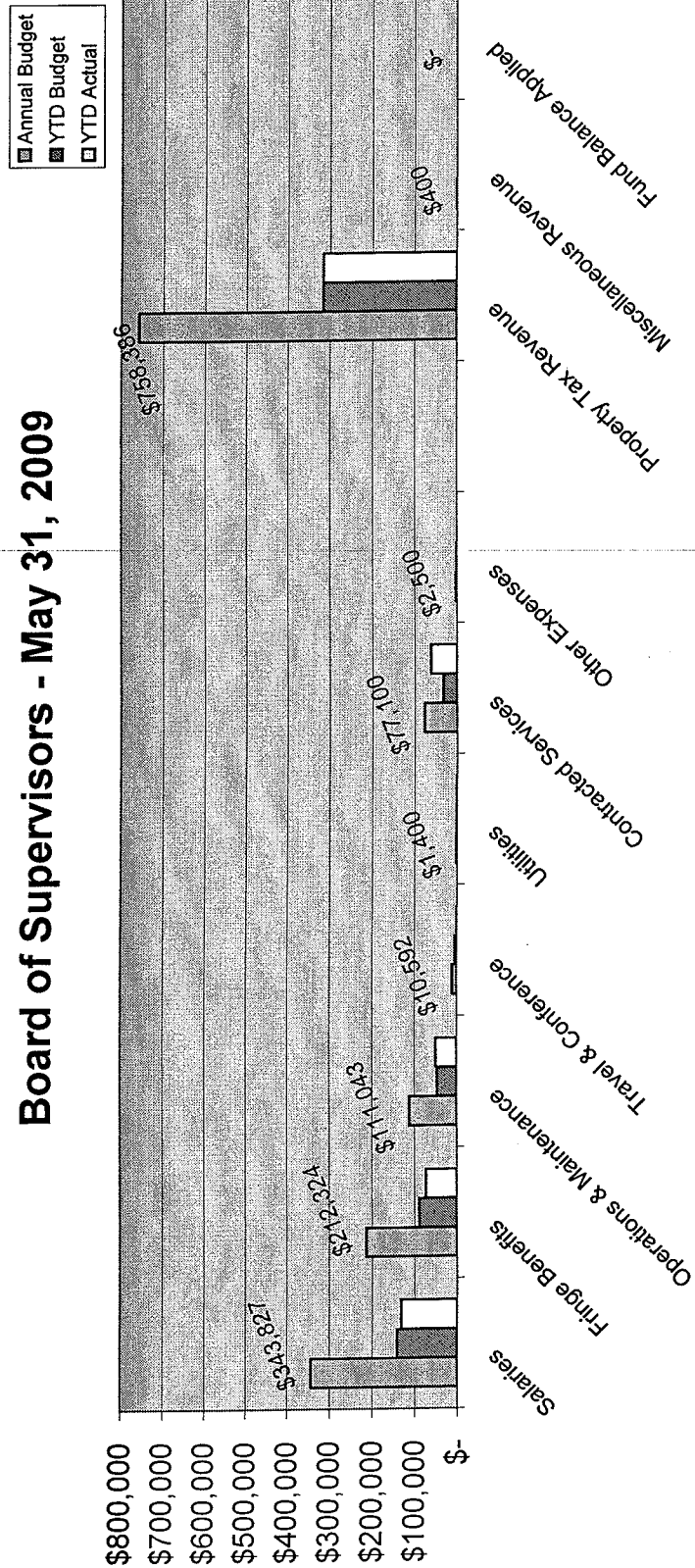
Brown County
Board of Supervisors
Budget Status Report
5/31/2009

	Annual Budget	YTD Budget	YTD Actual
Salaries	\$ 343,827	\$ 141,500	\$ 131,328
Fringe Benefits	\$ 212,324	\$ 88,468	\$ 72,112
Operations & Maintenance	\$ 111,043	\$ 46,268	\$ 49,295
Travel & Conference	\$ 10,592	\$ 4,413	\$ 588
Utilities	\$ 1,400	\$ 583	\$ 422
Contracted Services	\$ 77,100	\$ 32,125	\$ 61,400
Other Expenses	\$ 2,500	\$ 1,042	\$ 175
Property Tax Revenue	\$ 758,386	\$ 315,994	\$ 315,995
Miscellaneous Revenue	\$ 400	\$ 167	\$ 204
Fund Balance Applied	\$ -	\$ -	\$ -

Highlights:

Dues & Memberships are over budget due to payment of NACO and WCA dues in January while the budget is allocated through the entire year. Special Accounting & Auditing Expense is over budget due to payment of preliminary 2008 audit bills in January while the budget is spread throughout the year.

Board of Supervisors - May 31, 2009



DEPT: 10-0601
CONTROL: POST/01
REPORT: IS0000P
FORMAT: AB

UNAUDITED

BROWN COUNTY
BOARD OF SUPERVISORS
DEPARTMENTAL BUDGET REPORT
MONTH ENDING MAY 31, 2009

PAGE: 0001
DATE: 06/15/2009
TIME: 09:26:33

.....C U R R E N T M O N T H.....

ACTUAL	BUDGET	VARIANCE	ACTUAL	BUDGET	VARIANCE	TOTAL REVISED BUDGET	REMAINING BUDGET
29,221	39,615	10,394	125,644	141,292	15,648	343,327	217,683
802	0	(802)	5,684	0	(5,684)	0	(5,684)
0	41	41	0	208	208	500	500
30,023	39,656	9,633	131,328	141,500	10,172	343,827	212,499
2,020	17,693	15,673	8,580	88,468	79,888	212,324	203,744
8,538	0	(8,538)	53,484	0	(53,484)	0	(53,484)
2	0	(2)	67	0	(67)	0	(67)
919	0	(919)	4,642	0	(4,642)	0	(4,642)
175	0	(175)	865	0	(865)	0	(865)
627	0	(627)	2,338	0	(2,338)	0	(2,338)
605	0	(605)	2,045	0	(2,045)	0	(2,045)
18	0	(18)	91	0	(91)	0	(91)
12,904	17,693	4,789	72,112	88,468	16,356	212,324	140,212
0	134	134	353	667	314	1,600	1,247
87	134	47	261	667	406	1,600	1,339
864	1,375	511	3,858	6,875	3,017	16,500	12,642
0	2,000	2,000	23,245	10,000	(13,245)	24,000	755
32	16	(16)	69	83	14	200	131
0	0	0	132	0	(132)	0	(132)
382	791	409	1,544	3,958	2,414	9,500	7,956
0	17	17	0	85	85	205	205
1,252	1,213	(39)	5,465	6,065	600	14,556	9,091
74	74	0	368	368	1	882	515
3,500	3,500	0	14,000	17,500	3,500	42,000	28,000
6,191	9,254	3,064	49,295	46,268	(3,026)	111,043	61,749
94	882	788	588	4,413	3,825	10,592	10,004
94	882	788	588	4,413	3,825	10,592	10,004
1	116	115	422	583	161	1,400	978
1	116	115	422	583	161	1,400	978
0	84	84	0	417	417	1,000	1,000
24,800	6,341	(18,459)	61,400	31,708	(29,692)	76,100	14,700
24,800	6,425	(18,375)	61,400	32,125	(29,275)	77,100	15,700

DEPT: 10-0601
CONTROL: POST/01
REPORT: IS0000P
FORMAT: AB

UNAUDITED

BROWN COUNTY
BOARD OF SUPERVISORS
DEPARTMENTAL BUDGET REPORT
MONTH ENDING MAY 31, 2009

PAGE: 0002
DATE: 06/15/2009
TIME: 09:26:33

CURRENT MONTH			YEAR TO DATE			TOTAL REVISED BUDGET	REMAINING BUDGET
ACTUAL	BUDGET	VARIANCE	ACTUAL	BUDGET	VARIANCE		
44	125	81	175	625	450	1,500	1,325
0	84	84	0	417	417	1,000	1,000
44	209	165	175	1,042	867	2,500	2,325
74,057	74,235	179	315,320	314,399	(920)	758,786	443,467
=====							
REVENUES							
63,199	63,199	0	315,995	315,994	(1)	758,386	442,391
63,199	63,199	0	315,995	315,994	(1)	758,386	442,391
0	34	34	204	167	(37)	400	196
0	34	34	204	167	(37)	400	196
63,199	63,233	34	316,199	316,161	(38)	758,786	442,587
=====							

July 15, 2009

TO THE HONORABLE CHAIRMAN AND MEMBERS
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

**RESOLUTION RE: ESTABLISHING A MAXIMUM RATE
ASSESSED AGAINST MUNICIPALITIES FOR CONTRIBUTIONS
TO THE WISCONSIN RETIREMENT SYSTEM**

WHEREAS, the Wisconsin Retirement System (WRS) is a defined benefit pension which was common in the private sector when the WRS was established; and

WHEREAS, private sector workers either have no retirement benefits or they have a 401(k) or some other type of IRA which is mostly employee funded; and

WHEREAS, the State of Wisconsin requires that the payment rate into the WRS be increased to subsidize the investment losses of the WRS; and

WHEREAS, the average 401(k) is now down dramatically and the average private sector worker will have to increase their retirement savings and/or delay their retirement; and

WHEREAS, these same private sector workers are now required by the State of Wisconsin to pay more in property taxes to subsidize the investment losses of the WRS; and

WHEREAS, by requiring that fund investment losses be made up within five years, there will be an increase of approximately \$540,000 in county property taxes to add to an annual WRS payment which is already over \$8 million.

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors urges the Wisconsin State Legislature to set a reasonable maximum rate which will reduce the property taxpayers' exposure to WRS investment losses.

BE IT FURTHER RESOLVED, that the County Clerk be directed to transmit the resolution to State Legislators representing Brown County.

Respectfully submitted,

EXECUTIVE COMMITTEE

Approved By:

COUNTY EXECUTIVE

Date Signed: _____

Final Draft Approved by Corporation Counsel

BOARD OF SUPERVISORS ROLL CALL # _____

Motion made by Supervisor _____

Seconded by Supervisor _____

SUPERVISOR NAMES	DIST. #	AYES	NAYS	ABSTAIN
WARPINSKI	1			
DE WANE	2			
NICHOLSON	3			
THEISEN	4			
KRUEGER	5			
HAEFS	6			
ERICKSON	7			
BRUNETTE	8			
ZIMA	9			
EVANS	10			
VANDER LEESE	11			
JOHNSON	12			
DANTINNE, JR	13			

SUPERVISOR NAMES	DIST. #	AYES	NAYS	ABSTAIN
LA VIOLETTE	14			
ANDREWS	15			
KASTER	16			
KNIER	17			
WILLIAMS	18			
FLECK	19			
CLANCY	20			
WETZEL	21			
MOYNIHAN	22			
SCRAY	23			
HOEFT	24			
LUND	25			
FEWELL	26			

Total Votes Cast _____

Motion: Adopted _____ Defeated _____ Tabled _____